

09/297486

80765-UPCT/PTO 30 APR 1999

FORM PTO-1390  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

GJE-30

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/GB97/03015INTERNATIONAL FILING DATE  
November 3, 1997PRIORITY DATE CLAIMED  
November 1, 1996TITLE OF INVENTION Therapeutic Use of an Agent That Stimulates NO or Prostacyclin  
Production and Delivery Device

APPLICANT(S) FOR DO/EO/US


John Francis Martin, Seppo Yla-Herttuala, Stephen George Edward Barker

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
Small Entity Form

17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 840.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	38 - 20 =	18	X \$18.00	\$ 324.00			
Independent claims	5 - 3 =	2	X \$78.00	\$ 156.00			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,320.00			
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$-660.00			
<b>SUBTOTAL =</b>				\$ 660.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$			
<b>TOTAL NATIONAL FEE =</b>				\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+		\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 660.00			
				Amount to be:			
				refunded			
				charged		\$	
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.							
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0065</u> in the amount of \$ <u>660.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.							
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0065</u> . A duplicate copy of this sheet is enclosed.							
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>							
SEND ALL CORRESPONDENCE TO: Doran R. Pace Saliwanchik, Lloyd & Saliwanchik A Professional Association 2421 N.W. 41st Street, Suite A-1 Gainesville, FL 32606-6669				SIGNATURE:  Doran R. Pace NAME <u>38,261</u> REGISTRATION NUMBER			

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500 Rec'd PCT/PTO 30 APR 1999

Patent Application  
Docket No. GJE-30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : John Francis Martin, Seppo Yla-Herttuala, Stephen George Edward Barker  
Docket No. : GJE-30  
For : Therapeutic Use of an Agent That Stimulates NO or Prostacyclin Production and Delivery Device

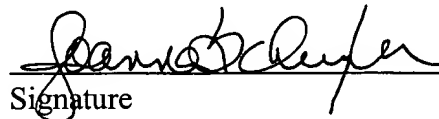
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR §1.10)

Express Mail No.: EE458130455US Date of Deposit: April 30, 1999

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office (DO/EO/US), Preliminary Amendment, Declaration and Power of Attorney and Verified Statement Claiming Small Entity Status, with copies as required for authorization for use of Deposit Account No. 19-0065, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and are addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.

Joanna Schuyler  
Name of person mailing paper

  
Signature